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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,844	04/25/2005	Jeffrey Charles Edwards	243115-00040	6745
64770 7590 01/10/2007 MOMKUS MCCLUSKEY MONROE MARSH & SPYRATOS, LLC 3051 OAK GROVE ROAD SUITE 220 DOWNERS GROVE, IL 60515-1181			EXAMINER BUCHANAN, CHRISTOPHER R	
			ART UNIT	PAPER NUMBER

3671

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/506,844

Applicant(s)

EDWARDS ET AL.

Examiner

Christopher R. Buchanan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moss (US 6,488,093) alone.

Regarding claim 1, Moss discloses a well intervention system for use with a well intervention tool that includes a well intervention housing (29, Fig. 2) having a tool magazine (27) with at least one magazine pocket (32, right Fig. 4) for storing a deployable tool (33) and a magazine chamber (32, left Fig. 4) for assembling an intervention tool string therein (col. 4 line 1+), a valve housing (28) coupled to the tool magazine having a detachable valve means (col. 4 line 36+), wherein the well intervention housing and valve means each have a means for coupling to the top portion of a subsea Christmas tree (4, see Fig. 2) and wherein the intervention housing, valve housing and valve means define a throughbore for permitting passage of tools

(col. 4 line 1+, see Fig. 4), and a tool selection and deployment means (21, 26, 41, 42) that is remotely operable from the surface (col. 3 line 5) for selecting and retrieving a tool from the magazine and deploying the tool through the throughbore (col. 4 line 1+).

The system of Moss differs from the claimed invention in that the tool magazine is not explicitly shown to have a magazine housing, however, the lower portion of the intervention housing (29) could be considered a magazine housing. Furthermore, it is well-known to provide various components with a housing to provide protection and enable installation of the component.

Regarding claim 2, the magazine includes a plurality of tool compartments (32, see Fig. 3). Regarding claim 3, the system includes a tool support means (43). Regarding claim 4, the tool selection and deployment means includes a rotatable drum (22), a length of slickline (21), and a means (42) for coupling the line to the tool. Regarding claim 5, the drum is mounted above the central bore and could be mounted in a variety of orientations. Regarding claim 6, conduits are provided to enable deployment of wireline and the tool string (see Fig. 4). Regarding claim 7, the tool selection and deployment means includes a coupling means (42) operable from the surface to select and couple or decouple tools. Regarding claims 8 and 9, the tool magazine includes a plurality of pockets radially disposed to accept at least one tool. Regarding claims 10 and 11, it would be a matter of design to make the magazine pockets individually sealable and detachable, so as to vary the number of pockets on a given magazine. Regarding claims 12-15, the magazine and pockets have remotely actuatable means to select, remove, replace, and couple the tools (col. 3 line 1+, col. 4

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line 1+) and the means could be provided by a variety of well-known means, such as rams. Regarding claims 16-21, the valve means could be coupled to the housing by a variety of well-known means (locks, latches, dogs, sleeves, etc.) that could be operated remotely or by ROV (col. 2 line 55+, col. 4 line 35+) by hydraulic, mechanical, or electrical action (well-known). Regarding claims 40-42, the valve means can be retrieved with the system or main locked onto the wellhead (col. 4 line 35+) and could include multiple valves of various types located within the system. Regarding claims 22-39 and 43-45, the limitations recited in these claims have already been addressed in the rejection of claims 1-21 and 40-42 above.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are cited on PTO Form 892 enclosed herewith.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Buchanan whose telephone number is 571-272-8134. The examiner can normally be reached on Mon.-Fri. 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CB



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